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7	BEFORE THE BOARD OF REGISTERED NURSING		
8	DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA		
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10	In the Matter of the Accusation Against:	Case No. 2013 - 371	
	MARY LOU SKUNDRICH		
11	265 Redwood Trails Trinidad, CA 95570	ACCUSATION	
12	Registered Nurse License No. 814528	•	
13	Respondent.		
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15			
16	Complainant alleges:		
17	PARTIES		
18	1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her		
19	official capacity as the Executive Officer of the Board of Registered Nursing, Department of		
20	Consumer Affairs.		
21	2. On or about February 21, 2012, the Board of Registered Nursing issued Registered		
22	Nurse License Number 814528 to Mary Lou Skundrich (Respondent). The Registered Nurse		
23	License was in full force and effect at all times relevant to the charges brought herein and will		
24	expire on February 28, 2014, unless renewed.		
25	JURISDICTION		
26	3. This Accusation is brought before the Board of Registered Nursing (Board),		
27	Department of Consumer Affairs, under the authority of the following laws. All section		
28	references are to the Business and Professions Code unless otherwise indicated.		

#### STATUTORY PROVISIONS

- 4. Section 2750 of the Business and Professions Code provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.
- 5. Section 2764 of the Business and Professions Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under section 2811(b) of the Code, the Board may renew an expired license at any time within eight years after the expiration.
  - 6. Section 2761 of the Business and Professions Code states in pertinent part:

"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

- "(a) Unprofessional conduct, which includes, but is not limited to, the following:
- "(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action.
- 7. Section 125.3 of the Business and Professions Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

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#### CAUSE FOR DISCIPLINE

(Unprofessional Conduct - Out of State Discipline)

- 8. Respondent is subject to disciplinary action under Business and Professions Code section 2761, subdivision(a)(4), in that on or about February 21, 2012 in a disciplinary action before the Board of Nursing for the State of New Mexico, the Board of Nursing issued a Default Order revoking License No. RN71617 issued to Mary Lou Skundrich. The circumstances are as follows:
- 9. On or about February 4, 2011, a complaint was filed against Mary Lou Skundrich for violating the New Mexico Nursing Practice Act. The complaint alleged Ms. Skundrich committed incompetence and unprofessional conduct while she was treating patients at Mimbres Memorial Hospital and Nursing Home in Deming, New Mexico. The underlying conduct supporting the New Mexico Board of Nursing's disciplinary action against respondent's registered nurse license is based on the following incidents:
- A. In 2010, Respondent failed to reassess a patient after administering the medication Ambien. The patient subsequently fell out of bed and sustained an orbital fracture.
- B. Several weeks later, on or about December 21, 2010, Respondent failed to reassess a patient after she administered Ativan 0.25 mg, IV, Morphine sulfate 1 mg, IV at 0500 hours, and a subsequent scheduled dose of Dilaudid 2 mg, IV at 0600 hours. The 80 year old patient was noted to be lethargic with shallow respirations and was given 0.1 mg Narcan IV at 0900 hours, with a repeat dose at 1050 hours. Respondent's last assessment according to the chart was at 0300 hours. A review of the Pyxis report showed the Dilaudid had been removed at 0728 hours, not 0600 hours as noted in the Medication Administration Report.

#### **PRAYER**

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 814528, issued to Mary Lou Skundrich;

Accusation